

**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

**In the Matter of the Accusation
Against:**

Ronald S. Batin, M.D.

**Physician's and Surgeon's
Certificate No. G 77080**

Respondent

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) **Case No. 800-2016-027807**
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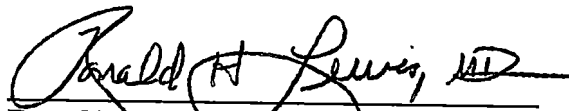
DECISION

The attached Stipulated Settlement and Disciplinary Order is hereby adopted as the Decision and Order of the Medical Board of California, Department of Consumer Affairs, State of California.

This Decision shall become effective at 5:00 p.m. on April 4, 2019.

IT IS SO ORDERED: March 5, 2019.

MEDICAL BOARD OF CALIFORNIA



**Ronald H. Lewis, Chair
Panel A**

1 XAVIER BECERRA
Attorney General of California
2 STEVEN D. MUNI
Supervising Deputy Attorney General
3 MEGAN R. O'CARROLL
Deputy Attorney General
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8 *Attorneys for Complainant*

10 **BEFORE THE**
11 **MEDICAL BOARD OF CALIFORNIA**
12 **DEPARTMENT OF CONSUMER AFFAIRS**
13 **STATE OF CALIFORNIA**

14 In the Matter of the Accusation Against:

15 **RONALD S. BATIN, M.D.**
16 6480 Pentz Road, # C
17 Paradise, CA 95969

18 Physician's and Surgeon's Certificate No. G 77080

19 Respondent.

Case No. 800-2016-027807

OAH No. 2018050141

20 **STIPULATED SETTLEMENT AND**
21 **DISCIPLINARY ORDER**

22 **IT IS HEREBY STIPULATED AND AGREED** by and between the parties to the above-
23 entitled proceedings that the following matters are true:

24 **PARTIES**

25 1. Kimberly Kirchmeyer ("Complainant") is the Executive Director of the Medical
26 Board of California ("Board"). She brought this action solely in her official capacity and is
27 represented in this matter by Xavier Becerra, Attorney General of the State of California, by
28 Megan R. O'Carroll, Deputy Attorney General.

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2. Respondent Ronald S. Batin, M.D. ("Respondent") is represented in this proceeding by attorney Michael Gallert, whose address is: 1600 Humboldt Road, Suite 1, Chico, CA 95928.

3. On or about July 15, 1993, the Board issued Physician's and Surgeon's Certificate No. G 77080 to Respondent. That Certificate was in full force and effect at all times relevant to the charges brought in Accusation No. 800-2016-027807, and will expire on April 30, 2019, unless renewed.

JURISDICTION

4. Accusation No. 800-2016-027807 was filed before the Board, and is currently pending against Respondent. The Accusation and all other statutorily required documents were properly served on Respondent on April 16, 2018. Respondent timely filed his Notice of Defense contesting the Accusation.

5. A copy of Accusation No. 800-2016-027807 is attached as exhibit A and incorporated herein by reference.

ADVISEMENT AND WAIVERS

6. Respondent has carefully read, fully discussed with counsel, and understands the charges and allegations in Accusation No. 800-2016-027807. Respondent has also carefully read, fully discussed with counsel, and understands the effects of this Stipulated Settlement and Disciplinary Order.

7. Respondent is fully aware of his legal rights in this matter, including the right to a hearing on the charges and allegations in the Accusation; the right to confront and cross-examine the witnesses against him; the right to present evidence and to testify on his own behalf; the right to the issuance of subpoenas to compel the attendance of witnesses and the production of documents; the right to reconsideration and court review of an adverse decision; and all other rights accorded by the California Administrative Procedure Act and other applicable laws.

8. Respondent voluntarily, knowingly, and intelligently waives and gives up each and every right set forth above.

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1 14. The parties understand and agree that Portable Document Format (PDF) and facsimile
2 copies of this Stipulated Settlement and Disciplinary Order, including PDF and facsimile
3 signatures thereto, shall have the same force and effect as the originals.

4 15. In consideration of the foregoing admissions and stipulations, the parties agree that
5 the Board may, without further notice or formal proceeding, issue and enter the following
6 Disciplinary Order:

7 **DISCIPLINARY ORDER**

8 **IT IS HEREBY ORDERED** that Physician's and Surgeon's Certificate No. G 77080
9 issued to Respondent Ronald S. Batin, M.D. is revoked. However, the revocation is stayed and
10 Respondent is placed on probation for three (3) years on the following terms and conditions.

11 1. **ALCOHOL - ABSTAIN FROM USE**. Respondent shall abstain completely from the
12 use of products or beverages containing alcohol.

13 If Respondent has a confirmed positive biological fluid test for alcohol, Respondent shall
14 receive a notification from the Board or its designee to immediately cease the practice of
15 medicine. The Respondent shall not resume the practice of medicine until the final decision on an
16 accusation and/or a petition to revoke probation is effective. An accusation and/or petition to
17 revoke probation shall be filed by the Board within 30 days of the notification to cease practice.
18 If the Respondent requests a hearing on the accusation and/or petition to revoke probation, the
19 Board shall provide the Respondent with a hearing within 30 days of the request, unless the
20 Respondent stipulates to a later hearing. the case is heard by an Administrative Law Judge alone,
21 he or she shall forward a Proposed Decision to the Board within 15 days of submission of the
22 matter. Within 15 days of receipt by the Board of the Administrative Law Judge's proposed
23 decision, the Board shall issue its Decision, unless good cause can be shown for the delay. If the
24 case is heard by the Board, the Board shall issue its decision within 15 days of submission of the
25 case, unless good cause can be shown for the delay. Good cause includes, but is not limited to,
26 non-adoption of the proposed decision, requests for reconsideration, remands and other
27 interlocutory orders issued by the Board. The cessation of practice shall not apply to the
28 reduction of the probationary time period.

1 If the Board does not file an accusation or petition to revoke probation within 30 days of the
2 issuance of the notification to cease practice or does not provide Respondent with a hearing
3 within 30 days of such a request, the notification of cease practice shall be dissolved.

4 2. BIOLOGICAL FLUID TESTING. Respondent shall immediately submit to
5 biological fluid testing, at Respondent's expense, upon request of the Board or its designee.
6 "Biological fluid testing" may include, but is not limited to, urine, blood, breathalyzer, hair
7 follicle testing, or similar drug screening approved by the Board or its designee. Prior to
8 practicing medicine, Respondent shall contract with a laboratory or service approved in advance
9 by the Board or its designee that will conduct random, unannounced, observed, biological fluid
10 testing. The contract shall require results of the tests to be transmitted by the laboratory or
11 service directly to the Board or its designee within four hours of the results becoming available.
12 Respondent shall maintain this laboratory or service contract during the period of probation.

13 A certified copy of any laboratory test result may be received in evidence in any
14 proceedings between the Board and Respondent.

15 If Respondent fails to cooperate in a random biological fluid testing program within the
16 specified time frame, Respondent shall receive a notification from the Board or its designee to
17 immediately cease the practice of medicine. The Respondent shall not resume the practice of
18 medicine until the final decision on an accusation and/or a petition to revoke probation is
19 effective. An accusation and/or petition to revoke probation shall be filed by the Board within 30
20 days of the notification to cease practice. If the Respondent requests a hearing on the accusation
21 and/or petition to revoke probation, the Board shall provide the Respondent with a hearing within
22 30 days of the request, unless the Respondent stipulates to a later hearing. If the case is heard by
23 an Administrative Law Judge alone, he or she shall forward a Proposed Decision to the Board
24 within 15 days of submission of the matter. Within 15 days of receipt by the Board of the
25 Administrative Law Judge's proposed decision, the Board shall issue its Decision, unless good
26 cause can be shown for the delay. If the case is heard by the Board, the Board shall issue its
27 decision within 15 days of submission of the case, unless good cause can be shown for the delay.
28 Good cause includes, but is not limited to, non-adoption of the proposed decision, requests for

1 reconsideration, remands and other interlocutory orders issued by the Board. The cessation of
2 practice shall not apply to the reduction of the probationary time period.

3 If the Board does not file an accusation or petition to revoke probation within 15 days of the
4 issuance of the notification to cease practice or does not provide Respondent with a hearing
5 within 30 days of such a request, the notification of cease practice shall be dissolved.

6 3. PROFESSIONALISM PROGRAM (ETHICS COURSE). Within 60 calendar days of
7 the effective date of this Decision, Respondent shall enroll in a professionalism program, that
8 meets the requirements of Title 16, California Code of Regulations (CCR) section 1358.1.
9 Respondent shall participate in and successfully complete that program. Respondent shall
10 provide any information and documents that the program may deem pertinent. Respondent shall
11 successfully complete the classroom component of the program not later than six (6) months after
12 Respondent's initial enrollment, and the longitudinal component of the program not later than the
13 time specified by the program, but no later than one (1) year after attending the classroom
14 component. The professionalism program shall be at Respondent's expense and shall be in
15 addition to the Continuing Medical Education (CME) requirements for renewal of licensure.

16 A professionalism program taken after the acts that gave rise to the charges in the
17 Accusation, but prior to the effective date of the Decision may, in the sole discretion of the Board
18 or its designee, be accepted towards the fulfillment of this condition if the program would have
19 been approved by the Board or its designee had the program been taken after the effective date of
20 this Decision.

21 Respondent shall submit a certification of successful completion to the Board or its
22 designee not later than 15 calendar days after successfully completing the program or not later
23 than 15 calendar days after the effective date of the Decision, whichever is later.

24 4. PSYCHOTHERAPY. Within 60 calendar days of the effective date of this Decision,
25 Respondent shall submit to the Board or its designee for prior approval the name and
26 qualifications of a California-licensed board certified psychiatrist or a licensed psychologist who
27 has a doctoral degree in psychology and at least five years of postgraduate experience in the
28 diagnosis and treatment of emotional and mental disorders. Upon approval, Respondent shall

1 undergo and continue psychotherapy treatment, including any modifications to the frequency of
2 psychotherapy, until the Board or its designee deems that no further psychotherapy is necessary.

3 The psychotherapist shall consider any information provided by the Board or its designee
4 and any other information the psychotherapist deems relevant and shall furnish a written
5 evaluation report to the Board or its designee. Respondent shall cooperate in providing the
6 psychotherapist with any information and documents that the psychotherapist may deem
7 pertinent.

8 Respondent shall have the treating psychotherapist submit quarterly status reports to the
9 Board or its designee. The Board or its designee may require Respondent to undergo psychiatric
10 evaluations by a Board-appointed board certified psychiatrist. If, prior to the completion of
11 probation, Respondent is found to be mentally unfit to resume the practice of medicine without
12 restrictions, the Board shall retain continuing jurisdiction over Respondent's license and the
13 period of probation shall be extended until the Board determines that Respondent is mentally fit
14 to resume the practice of medicine without restrictions.

15 Respondent shall pay the cost of all psychotherapy and psychiatric evaluations.

16 5. NOTIFICATION. Within seven (7) days of the effective date of this Decision, the
17 Respondent shall provide a true copy of this Decision and Accusation to the Chief of Staff or the
18 Chief Executive Officer at every hospital where privileges or membership are extended to
19 Respondent, at any other facility where Respondent engages in the practice of medicine,
20 including all physician and locum tenens registries or other similar agencies, and to the Chief
21 Executive Officer at every insurance carrier which extends malpractice insurance coverage to
22 Respondent. Respondent shall submit proof of compliance to the Board or its designee within 15
23 calendar days.

24 This condition shall apply to any change(s) in hospitals, other facilities or insurance carrier.

25 6. SUPERVISION OF PHYSICIAN ASSISTANTS AND ADVANCED PRACTICE
26 NURSES. During probation, Respondent is prohibited from supervising physician assistants and
27 advanced practice nurses.

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2 7. OBEY ALL LAWS. Respondent shall obey all federal, state and local laws, all rules
3 governing the practice of medicine in California and remain in full compliance with any court
4 ordered criminal probation, payments, and other orders.

5 8. QUARTERLY DECLARATIONS. Respondent shall submit quarterly declarations
6 under penalty of perjury on forms provided by the Board, stating whether there has been
7 compliance with all the conditions of probation.

8 Respondent shall submit quarterly declarations not later than 10 calendar days after the end
9 of the preceding quarter.

10 9. GENERAL PROBATION REQUIREMENTS.

11 Compliance with Probation Unit

12 Respondent shall comply with the Board's probation unit.

13 Address Changes

14 Respondent shall, at all times, keep the Board informed of Respondent's business and
15 residence addresses, email address (if available), and telephone number. Changes of such
16 addresses shall be immediately communicated in writing to the Board or its designee. Under no
17 circumstances shall a post office box serve as an address of record, except as allowed by Business
18 and Professions Code section 2021(b).

19 Place of Practice

20 Respondent shall not engage in the practice of medicine in Respondent's or patient's place
21 of residence, unless the patient resides in a skilled nursing facility or other similar licensed
22 facility.

23 License Renewal

24 Respondent shall maintain a current and renewed California physician's and surgeon's
25 license.

26 Travel or Residence Outside California

27 Respondent shall immediately inform the Board or its designee, in writing, of travel to any
28 areas outside the jurisdiction of California which lasts, or is contemplated to last, more than thirty

1 (30) calendar days.

2 In the event Respondent should leave the State of California to reside or to practice,
3 Respondent shall notify the Board or its designee in writing 30 calendar days prior to the dates of
4 departure and return.

5 10. INTERVIEW WITH THE BOARD OR ITS DESIGNEE. Respondent shall be
6 available in person upon request for interviews either at Respondent's place of business or at the
7 probation unit office, with or without prior notice throughout the term of probation.

8 11. NON-PRACTICE WHILE ON PROBATION. Respondent shall notify the Board or
9 its designee in writing within 15 calendar days of any periods of non-practice lasting more than
10 30 calendar days and within 15 calendar days of Respondent's return to practice. Non-practice is
11 defined as any period of time Respondent is not practicing medicine as defined in Business and
12 Professions Code sections 2051 and 2052 for at least 40 hours in a calendar month in direct
13 patient care, clinical activity or teaching, or other activity as approved by the Board. If
14 Respondent resides in California and is considered to be in non-practice, Respondent shall
15 comply with all terms and conditions of probation. All time spent in an intensive training
16 program which has been approved by the Board or its designee shall not be considered non-
17 practice and does not relieve Respondent from complying with all the terms and conditions of
18 probation. Practicing medicine in another state of the United States or Federal jurisdiction while
19 on probation with the medical licensing authority of that state or jurisdiction shall not be
20 considered non-practice. A Board-ordered suspension of practice shall not be considered as a
21 period of non-practice.

22 In the event Respondent's period of non-practice while on probation exceeds 18 calendar
23 months, Respondent shall successfully complete the Federation of State Medical Boards's Special
24 Purpose Examination, or, at the Board's discretion, a clinical competence assessment program
25 that meets the criteria of Condition 18 of the current version of the Board's "Manual of Model
26 Disciplinary Orders and Disciplinary Guidelines" prior to resuming the practice of medicine.

27 Respondent's period of non-practice while on probation shall not exceed two (2) years.

28 Periods of non-practice will not apply to the reduction of the probationary term.

1 Periods of non-practice for a Respondent residing outside of California will relieve
2 Respondent of the responsibility to comply with the probationary terms and conditions with the
3 exception of this condition and the following terms and conditions of probation: Obey All Laws;
4 General Probation Requirements; Quarterly Declarations; Abstain from the Use of Alcohol and/or
5 Controlled Substances; and Biological Fluid Testing.

6 12. COMPLETION OF PROBATION. Respondent shall comply with all financial
7 obligations (e.g., restitution, probation costs) not later than 120 calendar days prior to the
8 completion of probation. Upon successful completion of probation, Respondent's certificate shall
9 be fully restored.

10 13. VIOLATION OF PROBATION. Failure to fully comply with any term or condition
11 of probation is a violation of probation. If Respondent violates probation in any respect, the
12 Board, after giving Respondent notice and the opportunity to be heard, may revoke probation and
13 carry out the disciplinary order that was stayed. If an Accusation, or Petition to Revoke Probation,
14 or an Interim Suspension Order is filed against Respondent during probation, the Board shall have
15 continuing jurisdiction until the matter is final, and the period of probation shall be extended until
16 the matter is final.

17 14. LICENSE SURRENDER. Following the effective date of this Decision, if
18 Respondent ceases practicing due to retirement or health reasons or is otherwise unable to satisfy
19 the terms and conditions of probation, Respondent may request to surrender his or her license.
20 The Board reserves the right to evaluate Respondent's request and to exercise its discretion in
21 determining whether or not to grant the request, or to take any other action deemed appropriate
22 and reasonable under the circumstances. Upon formal acceptance of the surrender, Respondent
23 shall within 15 calendar days deliver Respondent's wallet and wall certificate to the Board or its
24 designee and Respondent shall no longer practice medicine. Respondent will no longer be subject
25 to the terms and conditions of probation. If Respondent re-applies for a medical license, the
26 application shall be treated as a petition for reinstatement of a revoked certificate.

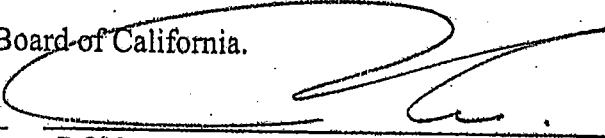
27 15. PROBATION MONITORING COSTS. Respondent shall pay the costs associated
28 with probation monitoring each and every year of probation, as designated by the Board, which

1 may be adjusted on an annual basis. Such costs shall be payable to the Medical Board of
2 California and delivered to the Board or its designee no later than January 31 of each calendar
3 year.

4 ACCEPTANCE

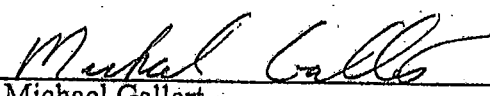
5 I have carefully read the above Stipulated Settlement and Disciplinary Order and have fully
6 discussed it with my attorney, Michael Gallert. I understand the stipulation and the effect it will
7 have on my Physician's and Surgeon's Certificate. I enter into this Stipulated Settlement and
8 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
9 Decision and Order of the Medical Board of California.

10 DATED: 12/28/18


11 RONALD S. BATIN, M.D.
Respondent

12 I have read and fully discussed with Respondent Ronald S. Batin, M.D. the terms and
13 conditions and other matters contained in the above Stipulated Settlement and Disciplinary Order.
14 I approve its form and content.

15 DATED: 12/28/18


16 Michael Gallert
Attorney for Respondent

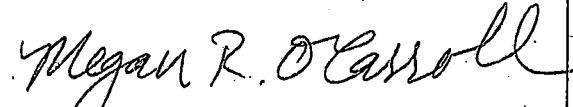
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18 ENDORSEMENT

19 The foregoing Stipulated Settlement and Disciplinary Order is hereby respectfully
20 submitted for consideration by the Medical Board of California.

21 Dated: 12-28-18

Respectfully submitted,

22 XAVIER BECERRA
23 Attorney General of California
24 STEVEN D. MUNI
Supervising Deputy Attorney General

25 
26 MEGAN R. O'CARROLL
27 Deputy Attorney General
Attorneys for Complainant

28 SA2018300319

Exhibit A

Accusation No. 800-2016-027807

FILED
STATE OF CALIFORNIA
MEDICAL BOARD OF CALIFORNIA
SACRAMENTO April 16 20 18
BY D. Richards ANALYST

XAVIER BECERRA
Attorney General of California
ALEXANDRA M. ALVAREZ
Supervising Deputy Attorney General
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Attorneys for Complainant

BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Accusation Against:

Case No. 800-2016-027807

Ronald S. Batin, M.D.
6480 Pentz Road, # C
Paradise, CA 95969

A C C U S A T I O N

Physician's and Surgeon's Certificate No. G 77080,

Respondent.

Complainant alleges:

PARTIES

1. Kimberly Kirchmeyer ("Complainant") brings this Accusation solely in her official capacity as the Executive Director of the Medical Board of California, Department of Consumer Affairs ("Board").

2. On or about July 15, 1993, the Medical Board issued Physician's and Surgeon's Certificate Number G 77080 to Ronald S. Batin, M.D. ("Respondent"). That Certificate was in full force and effect at all times relevant to the charges brought herein and will expire on April 30, 2019, unless renewed.

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JURISDICTION

3. This Accusation is brought before the Board, under the authority of the following laws. All section references are to the Business and Professions Code unless otherwise indicated.

4. Section 2227 of the Code provides in pertinent part, that a licensee who is found guilty under the Medical Practice Act may have his or her license revoked, suspended for a period not to exceed one year, placed on probation and required to pay the costs of probation monitoring, or such other action taken in relation to discipline as the Board deems proper.

5. Section 2234 of the Code, states in pertinent part:

"The board shall take action against any licensee who is charged with unprofessional conduct. In addition to other provisions of this article, unprofessional conduct includes, but is not limited to, the following:

"(a) Violating or attempting to violate, directly or indirectly, assisting in or abetting the violation of, or conspiring to violate any provision of this chapter.

"..."

6. Section 2236 of the Code states in pertinent part:

"(a) The conviction of any offense substantially related to the qualifications, functions, or duties of a physician and surgeon constitutes unprofessional conduct within the meaning of this chapter. The record of conviction shall be conclusive evidence only of the fact that the conviction occurred.

"(b) The district attorney, city attorney, or other prosecuting agency shall notify the Division of Medical Quality¹ of the pendency of an action against a licensee charging a felony or misdemeanor immediately upon obtaining information that the defendant is a licensee. The notice shall identify the licensee and describe the crimes charged and the facts alleged. The prosecuting agency shall also notify the clerk of the court in which the action is pending that

¹ The Division of Medical Quality is deemed to refer to the Board. (Cal. Bus. & Prof. Code, § 2002.)

1 the defendant is a licensee, and the clerk shall record prominently in the file that the defendant
2 holds a license as a physician and surgeon.

3 “(c) The clerk of the court in which a licensee is convicted of a crime shall, within 48 hours
4 after the conviction, transmit a certified copy of the record of conviction to the board. The
5 division may inquire into the circumstances surrounding the commission of a crime in order to fix
6 the degree of discipline or to determine if the conviction is of an offense substantially related to
7 the qualifications, functions, or duties of a physician and surgeon.

8 “(d) A plea or verdict of guilty or a conviction after a plea of nolo contendere is deemed to
9 be a conviction within the meaning of this section and Section 2236.1. The record of conviction
10 shall be conclusive evidence of the fact that the conviction occurred.”

11 7. Section 2239 of the Code states, in pertinent part:

12 “(a) The use or prescribing for or administering to himself or herself, of any controlled
13 substance; or the use of any of the dangerous drugs specified in Section 4022, or of alcoholic
14 beverages, to the extent, or in such a manner as to be dangerous or injurious to the licensee, or to
15 any other person or to the public, or to the extent that such use impairs the ability of the licensee
16 to practice medicine safely or more than one misdemeanor or any felony involving the use,
17 consumption, or self-administration of any of the substances referred to in this section, or any
18 combination thereof, constitutes unprofessional conduct. The record of the conviction is
19 conclusive evidence of such unprofessional conduct.

20 “(b) A plea or verdict of guilty or a conviction following a plea of nolo contendere is
21 deemed to be a conviction within the meaning of this section. The Division of Medical Quality
22 may order discipline of the licensee in accordance with Section 2227 or the Division of Medical
23 Quality may order the denial of the license when the time for appeal has elapsed or the judgment
24 of conviction has been affirmed on appeal or when an order granting probation is made
25 suspending imposition of sentence, irrespective of a subsequent order under the provisions of
26 Section 1203.4 of the Penal Code allowing such person to withdraw his or her plea of guilty and

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1 to enter a plea of not guilty, or setting aside the verdict of guilty, or dismissing the accusation,
2 complaint, information, or indictment.”

3 FACTS

4 8. On or about October 22, 2016, at approximately 10:00 p.m., Respondent and his then
5 wife, Confidential Witness 1, (“C.1.”)² were driving home from a wedding they had been
6 attending in Butte County. C.1. drove her husband because she observed that Respondent
7 appeared to be intoxicated from having consumed alcohol at the party. C.1.’s two friends were
8 driving another vehicle immediately behind Respondent and C.1. During the drive, Respondent
9 and C.1. were arguing about relationship problems they had been experiencing recently, and
10 Respondent stated that he no longer wanted to live.

11 9. When they arrived at Respondent’s residence, he exited the vehicle and began
12 pounding and kicking on a door to the house in an agitated matter. C.1. remained by the car
13 searching for her cellphone. Respondent continued to be agitated, yelling and swearing at C.1.
14 He then returned to the vehicle and retrieved a green bag in the backseat containing a handgun.
15 Respondent had been issued a concealed carry permit and frequently brought the green bag with
16 the loaded handgun inside with him when he left his house. C.1. was near the front seat driver
17 side of the car and her two friends were near the rear of the car. Respondent pulled his handgun
18 from the green bag and pointed it at the two friends. C.1. approached Respondent and tried to
19 reach for the handgun to stop Respondent from pointing it at her friends. Respondent then
20 pointed the handgun at her.

21 10. Respondent stated to C.1., “get the fuck out of my life.” Respondent and C.1.
22 continued to argue. During the argument, Respondent pointed the handgun toward the tires of the
23 other vehicle as if he was going to shoot the tires. At that point, one of C.1.’s friends hid around
24 the other side of Respondent’s vehicle. C.1. told one of her friends to dial 911. As the friends
25 were calling the police, Respondent went into the residence, which set off the house alarm. C.1.
26 entered the residence to obtain her contact lens solution. As C.1. walked out of her bedroom, she

27 _____
28 ² Identifying information has been removed. All witnesses will be identified in discovery.

1 observed the handgun Respondent had brandished on a nearby table. She took it and placed it in
2 her purse.

3 11. Butte County Sheriff Deputies arrived a few minutes later to the report of a
4 disturbance and immediately observed an unspent round of ammunition on the ground. He asked
5 Respondent if firearms had been involved in the incident and Respondent stated that no firearms
6 had been involved. Neither Respondent nor the three women were able to explain how the
7 unspent round came to be on the ground. Respondent denied that it was his. C.1. gave the
8 Deputy the handgun, a semi-automatic 9 m.m., she had put in her purse and explained that
9 Respondent had pointed the gun at the three women. The Deputy who received the handgun
10 observed that it contained a loaded magazine and that a live round had been advanced into the
11 chamber. The Deputies interviewed and took statements from C.1.'s two friends. Both were
12 crying and shaken.

13 12. When being interviewed, C.1. informed the Deputy that she and Respondent had been
14 living in separate residences for the past two weeks due to relationship problems. She told the
15 Deputy that she was concerned about Respondent because he had made suicidal statements to her
16 and she was aware that he had other firearms in the residence.

17 13. While one Deputy was interviewing C.1. about the events, another was standing with
18 Respondent away from the other witnesses. While standing aside with this Deputy, Respondent
19 began making statements about ending his life, stating that he did not want to live anymore.
20 Respondent stated that his life was not worth living if he had no one to share his love.
21 Respondent asked the Deputy if he would be shot if he reached for the Deputy's gun. The Deputy
22 asked Respondent if he wanted to hurt himself or others and Respondent replied that he was only
23 passively suicidal, commenting that he "knew what not to say." The Deputy asked Respondent
24 how he planned to kill himself, and Respondent indicated that he intended to use sedatives and
25 carbon monoxide.

26 14. Based on Respondent's statements, the Deputies placed him on an involuntary
27 psychiatric hold and transported him to the hospital. While conducting a search incident to arrest,
28 the Deputies obtained fifteen other firearms in Respondent's residence. The firearms included

1 three semi-automatic handguns, an altered shotgun, and six illegal assault weapons, including one
2 fully automatic machine gun.

3 15. On or about October 26, 2016, in *People v. Ronald Batin*, Butte County Superior
4 Court Case No. 16CF05070, the Butte County District Attorney charged Respondent with one
5 felony count of possessing a machine gun (Penal Code section 32625(a)), four felony counts of
6 possessing assault weapons (Penal Code section 30605(a)), and three misdemeanor counts of
7 brandishing a firearm (Penal Code section 417(a)(2)). On or about February 8, 2017, the
8 Criminal Complaint was amended to include an additional felony count for possession of a short-
9 barreled shotgun (Penal Code section 33210).

10 16. On or about July 5, 2017, Respondent pled no contest to one count each of felony
11 possession of a machine gun, an assault weapon, and a short barreled shotgun. Respondent
12 further pled no contest to one misdemeanor count of brandishing a firearm. On or about August
13 30, 2017, Respondent was sentenced to three years of formal probation, 90 days of county jail,
14 and various fines and fees.

15 **FIRST CAUSE FOR DISCIPLINE**

16 **(Conviction of a Crime)**

17 17. Respondent's license is subject to disciplinary action under section 2236 in that he
18 was convicted of an offense substantially related to the practice of medicine.

19 18. Paragraphs 8 through 16, above, are incorporated as if set forth herein.

20 **SECOND CAUSE FOR DISCIPLINE**

21 **(General Unprofessional Conduct)**

22 19. Respondent's license is subject to disciplinary action under section 2234 in that he
23 committed acts constituting general unprofessional conduct.

24 20. Paragraphs 8 through 16, above, are incorporated as if set forth herein.

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